IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24666 of 2004

Between:

Gurram Krushnaiah S/o Venkanna
Chinna Gollagudem Damma Peta, Khammam Distrct.

..... PETITIONER

AND

The Mandal Revenue Officer Damma Petamandal
Khammam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent herein in canceling the Pattadar Pass book and title deed to the schedule property in sy.No.242 of an extent of Ac. 2.08 cents at China Gollagudem Village, Damma Petta Mandal, Khamman district is illegal, arbitrary unconstitutional and in violation of Articles 14,21 and 300(A) of the constitution of India and also in violation of principles of natural Justice and consequently direct the respondent to not to interfere with the above schedule property,

Counsel for the Petitioner:MR.P.JAGADISH CHANDRA PRASAD

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The petitioner claims to be owner and possessor of land in an extent of Ac.1.34 cents, Ac.2.08 cents and Ac.1.30 cents in Survey Numbers 238/1, 242 and 251, China Gollagudem village, Dammapeta Mandal, Khammam district. It is stated that on verification of the revenue records, the revenue authorities had issued pattadar passbook to the petitioner. While so, a news item was published in the newspaper to the effect that the subject land is a Government land and that the Mandal Revenue Officer has cancelled the patta granted in favour of the petitioner. Pursuant to the said news report, the petitioner is stated to have made a representation dated 12-12-2004. The petitioner complains that no action has been taken on his representation. Hence the present writ petition is filed questioning the cancellation of the patta.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed for disposal of the writ petition at the admission stage.

The petitioner, merely basing on the news report, which reported that the subject land is a Government land and the patta granted to the petitioner was cancelled, has not placed any material to show that the patta granted to him was cancelled by the revenue authorities. In the absence of filing such material, merely on the basis of news paper reports, the allegation of the petitioner that the patta granted to him was cancelled without any notice and opportunity, cannot be accepted.

However, since the representation of the petitioner dated 12-12-2004 is said to be pending consideration at the end of the respondent, I

deem it appropriate to dispose of the writ petition with a direction to the respondent to consider and dispose of the representation of the petitioner and pass appropriate orders in accordance with law. Till such time, status quo existing as on today shall be maintained.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

17TH JANUARY, 2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1..The Mandal Revenue Officer Damma Petamandal
Khammam District.

2.2CCs to G.P. for Revenue, High Court of A.P. buildings, Hyderabad (OUT)

3.2CD copies

4.2CCs to